

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**NATIONAL RIFLE ASSOCIATION OF
AMERICA,**

Plaintiff and Counter-Defendant

and

WAYNE LAPIERRE,

Third-Party Defendant,

V.

ACKERMAN MCQUEEN, INC.,

Defendant and Counter-Plaintiff,

MERCURY GROUP, INC., HENRY MARTIN, WILLIAM WINKLER, MELANIE MONTGOMERY, and JESSE GREENBERG,

Defendants.

§ Civil Action No. 3:19-cv-02074-G

**JOINT MOTION FOR SHORT EXTENSION OF DEADLINES REGARDING
DEFENDANTS' PENDING MOTION TO DISMISS AND DEFENDANT AND
COUNTER-PLAINTIFF'S AMENDED THIRD PARTY COMPLAINT AND
AMENDED COUNTERCLAIMS**

Plaintiff National Rifle Association of America, Third-Party Defendant Wayne LaPierre Defendants, hereby file this agreed-upon and joint motion for short extension of deadlines regarding Defendants' pending Motion to Dismiss for Failure to State a Claim, ECF No. 28, and Defendant and Counter-Plaintiff Ackerman McQueen, Inc.'s ("Ackerman") Amended Third Party Complaint and Amended Counterclaim, ECF No. 31. By previous order of the Court made upon the joint stipulation of the parties, Plaintiff NRA's deadline to respond to Defendants' pending

Motion to Dismiss For Failure to State a Claim pursuant to Fed. R. Civ. P. 12(b)(6) is Friday, December 20, 2019. ECF No. 36. Plaintiff NRA's deadline to respond to Ackerman's Amended Counterclaims and Third Party Complaint also falls on December 20, 2019. *Id.* The parties dispute whether Third-Party Defendant LaPierre has been adequately served.

To resolve the issue concerning whether Mr. LaPierre had been adequately served, to ensure the NRA and, in particular Mr. LaPierre, have adequate time to review their responses to the Amended Counterclaims and Third-Party, the parties have agreed as a professional courtesy to extend Plaintiff NRA's and Third-Party Defendant LaPierre's deadline to respond to the above-listed filings by one (1) business day.

WHEREFORE, for good cause shown, the parties respectfully move for entry of an order establishing the following deadlines:

1. Plaintiff NRA's deadline to respond to Defendants' Motion to Dismiss For Failure to State a Claim pursuant to Fed. R. Civ. P. 12(b)(6) (ECF No. 28), is extended from December 20, 2019 to December 23, 2019.
2. Defendants current deadline to file a reply in support of Defendants' Motion to Dismiss For Failure to State a Claim pursuant to Fed. R. Civ. P. 12(b)(6) (ECF No. 28) is extended from January 17, 2020 to January 20, 2020.
3. Plaintiff NRA's deadline to respond to Defendant and Counter-Plaintiff Ackerman's Amended Counterclaims and Third-Party Complaint (ECF No. 31) is extended from December 20, 2019 to December 23, 2019.
4. Third-Party Defendant Wayne LaPierre's deadline to respond to Defendant and Counter-Plaintiff Ackerman's Amended Counterclaims and Third-Party Complaint (ECF No. 31) is extended from December 6, 2019 to December 23, 2019.

Dated: December 20, 2019

Respectfully submitted,

BREWER, ATTORNEYS & COUNSELORS

By: /s/ Jason C. McKenney

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was electronically served via the Court's electronic case filing system upon all counsel of record on this 20th day of December 2019:

/s/ Jason C. McKenney
Jason C. McKenney

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